

REMARKS/ARGUMENTS

Claims 1, 3, 4, 6-12, and 14-16 are pending in the present application. Claims 1, 3, 4, 6-12, and 14-16 have been rejected. Claims 4, 9, and 12 have been canceled and their features have been incorporated into claims 1, 7, and 10, respectively. Accordingly, the amendments to claims 1, 7, and 10 should be entered. No new matter has been added.

Claims 1, 3, 4, and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Buell (U.S. Patent No. 5,768,079) in view of Krolski (U.S. Patent No. 3,558,985). Claim 6 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Buell in view of Krolski and Goldsborough (U.S. Patent No. 2,320,861). Claims 7-12, 15, and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Buell in view of Goldsborough. As noted above, claims 4, 9, and 12 have been canceled, thereby obviating the rejections of these claims. It is respectfully submitted that claims 1, 3, 6-8, 10, 11, and 14-16 are allowable over the art of record for the reasons set forth below.

Independent claims 1, 7, and 10 have been amended to include the features of claims 4, 9, and 12, respectively. These claims include the features of, as represented by claim 1, determining which of the three phases have an associated fault and using a countdown timer associated with each phase. In particular, after detecting a fault in at least one of the three phases, a separate countdown timer associated with each faulted phase is started. Then it is determined which faults are still present after one of the countdown timers has expired. See Figure 2 in the application, as originally filed, and its corresponding description at page 8, line 21 – page 9, line 12.

Buell fails to disclose such features. Buell merely describes a single countdown timer for use with all faulted phases (column 5, lines 19-34). Because Buell only uses one countdown timer for all faulted phases, Buell's monitoring is less precise and loads will experience longer power interruptions than if separate countdown timers were used.

Krolski merely describes a recloser and an overcurrent sensor for detecting when a predetermined overcurrent is detected in one or more of three phases. However, Krolski does not start a separate countdown timer associated with each faulted phase after detecting a fault in at least one of the three phases, as required by the present invention.

DOCKET NO.: ABMS-0119/B000330
Application No.: 09/810,810
Office Action Dated: September 24, 2003


**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

Goldsborough describes detection of a single ground fault, with subsequent tripping of the ground fault tripping circuit in the phase which failed. If there is a phase to phase fault, or if there is a fault involving more than one line conductor, all three phase fault tripping circuits are energized. However, Goldsborough does not start a separate countdown timer associated with each faulted phase after detecting a fault in at least one of the three phases, as required by the present invention.

Based on the foregoing, claims 1, 7, and 10 and all claims dependent therefrom, including claims 3, 6, 8, 11, and 14-16 should not be variously rejected as being unpatentable in view of Buell, Krotski, and Goldsborough, taken alone or in combination. Therefore, withdrawal of the various rejections of claims 1, 3, 6-8, 10, 11, and 14-16 under 35 U.S.C. § 103(a) is respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested.

Date: November 10, 2003



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